

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested in view of the foregoing amendments to the claims, the foregoing to the drawings and the following remarks.

Status of the claims with the present application is as follows:

Allowed: Claims 1-7, 9-21, 23-27 and 41-58;

Rejected: Claims 8, 22, 28-30 and 34-40;

Objected to: Claims 31-33, and

Newly Presented Claim 59

In the official action, the Examiner has objected to the drawings as failing to comply with Rule 84(p)(4) because the reference character "154" has been used to designate both the cross piece and post of the docking element (Figs. 4 and 5). The Examiner's attention is directed to the enclosed amended drawings and the annotated drawing in the Appendix, which amends Figure 5 to be consistent with the reference characters used in Figure 4. The change to Figure 5 is to make Figure 5 consistent with Figure 4 and therefore does not add any new matter. It is contended that the drawings are now in full compliance with Rule 84 and this objection should be withdrawn.

The Examiner has objected to the specification, particularly the paragraph beginning on Page 8, Line 25, with regard to the reference number 400 in this paragraph. The Examiner is correct, the reference number should be 500 and this amendment has been made in the foregoing amendment to the Specification. Therefore it is contended that the Specification is now in full compliance with the rules and the objection to the Specification should be withdrawn.

The Examiner has rejected Claims 8 and 22 under U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. This rejection as it applies to the amended claims is believed overcome and therefore should be withdrawn. Claims 8 and 22 have been made dependent on Claims 2 and newly presented Claim 59 respectively, these claims provide appropriate antecedent basis for the term "the predetermined position" in line 2 of each of the rejected claims. Therefore, these Claims are

now in compliance with 35 U.S.C. §112, second paragraph, and this rejection should be withdrawn.

The Examiner has also rejected Claims 28-30, and 34-37 under 35 U.S.C. §102(b) as anticipated by Patent 5,408,409 (Glassman). This rejection as it applies to the claims now presented for examination, is respectfully traversed.

The Examiner will note that Claim 28 has been amended to indicate that the "display unit moves with the tool body." There is no disclosure or suggestion in Glassman that the display 48 moves with the tool body 36. In fact, since the display 48 is associated with a display processor, it is clear from the disclosure of Glassman that the display 48 is a separate element totally distinct and removed from the tool body 36. Therefore, it does not move with the tool body. Accordingly, it is contended that Glassman does not disclose each and every feature required by Claim 28 and dependent Claims 29, 30, 34, and 37. Therefore, this rejection is no longer warranted and should be withdrawn.

The Examiner in the Official Action has also rejected Claims 38 and 39 under 35 U.S.C. § 103(a) as unpatentable over Glassman. This rejection is respectfully traversed. Again, with regard to Claim 28, there is no disclosure or suggestion in Glassman that the display unit moves with the body. This rejection appears no longer warranted and should be withdrawn.

Lastly, the Examiner has rejected Claim 40 under 35 U.S.C. § 103(a) as unpatentable over Glassman in view of U.S. Patent Application Publication US 2002/0133175 to Carson. The rejection is respectfully traversed.

As noted previously, the Glassman Patent has no disclosure or suggestion of moving the display unit with the tool. The secondary Carson reference does not in any way remove this inherent deficiency and accordingly the rejection of Claim 40 as unpatentable under 35 U.S.C. § 103(a) based on Glassman in view of Carson would appear no longer warranted and should be withdrawn.

The Examiner's attention is also directed to Claims 1 and 15. These two claims, which have been indicated as allowable by the Examiner, have been amended to replace the term "screen" with "display device". It is contended that this amendment is well supported in the specification, particularly on page 7, line 4, where it is indicated that the display screen

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can be any suitable display device. Similar amendments are made to Claims 2, 3, 4, 8, 16, 18, 22, 28, 29, 30, 31, and 34. Therefore, it is contended that these amendments to Claims 1, 2, 3, 4, 8, 15, 16, 18, 22, 29, 30, 31, and 34 do not present new matter and should be allowed.

It is respectfully contended that the instant application has now been placed in immediate condition for allowance. Such action at an early date is earnestly solicited.

The Examiner is invited to telephone the undersigned Attorney if there is a need to resolve any remaining issues.

Respectfully submitted,

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Reply to O.A. of November 2, 2004 (Appendix)

Appendix

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Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 5. This sheet, which includes Figs. 3-9, replaces the original sheet including Figs. 3-9. In Fig. 5, the reference numbers 154 and 164 are made consistent with Fig. 4.

Attachment: Replacement Sheet
Annotated Sheet Showing Change(s)

FIG. 3

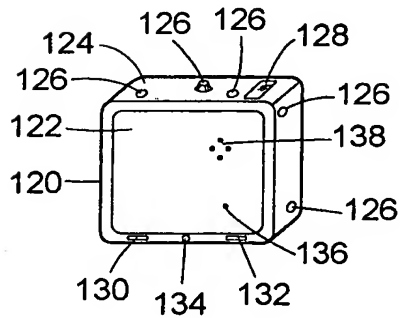


FIG. 6

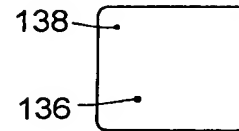


FIG. 4

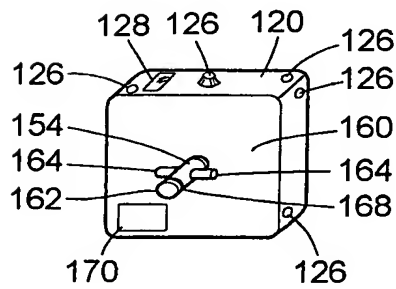


FIG. 7

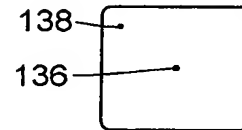


FIG. 8

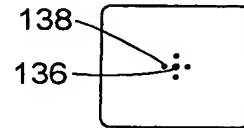


FIG. 5

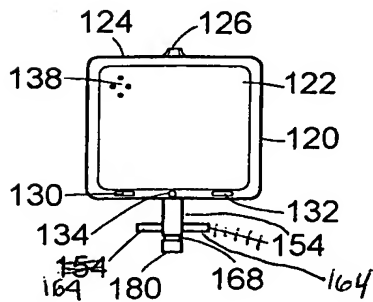


FIG. 9

